

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 15, No. 15

April 11, 1996

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Pooled Money Investment Board Notice of Meeting

The Pooled Money Investment Board will meet at 1 p.m. Wednesday, April 17, in the State Treasurer's Office, Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information, contact Diane Gates at (913) 296-3372.

Sally Thompson Chair

Doc. No. 017486

State of Kansas

Criminal Justice Coordinating Council

Final Notice of Application Deadline for Law Enforcement Assistance Grant

This is the final notice for Edward Byrne Memorial State and Local Law Enforcement Assistance Grant applications. Applications must be postmarked by 5 p.m. April 26 and sent to the address listed below. Grant awards will be announced before June 30.

To obtain an application kit, contact the Kansas Criminal Justice Coordinating Council, Suite 501, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, (913) 296-0923. For additional information concerning this grant, refer to the *Announcement of Availability of Funding* in the March 28, 1996 Kansas Register.

Barbara S. Tombs Executive Director

Doc. No. 017491

State of Kansas

Kansas Continuing Legal Education Commission

Notice of Meeting

The Kansas Continuing Legal Education Commission will meet at 11:30 p.m. Friday, April 19, at 3535 S.W. 6th, Topeka.

Ronald M. Keefover Education-Information Officer

Doc. No. 017488

State of Kansas

Social and Rehabilitation Services

Request for Comments

The draft Social Service Block Grant (SSBG) State Plan for fiscal year 1997 is in the public comment period until May 10. Copies of the draft plan will be available for review at each of the 12 SRS area offices throughout Kansas.

Comments concerning the draft plan are to be submitted by May 10 to the Kansas Department of Social and Rehabilitation Services, Communication and Agency Support, Room 611-N, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Copies of the draft plan also are available upon written request to the same address. The SSBG State Plan is scheduled to be adopted by the Secretary of Social and Rehabilitation Services at the SRS open meeting June 4.

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 017501

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Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY Ron Thornburgh Secretary of State 2nd Floor, State Capitol 300 S.W. 10th Ave. Topeka, KS 66612-1594 (913) 296-2236



Register Office: Room 233-N, State Capitol (913) 296-3489

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for "on-call" mechanical and electrical engineering services for Kansas State University. Two firms will be selected to provide services for small projects at the university.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367.

Any questions or expressions of interest should be submitted to Gary Grimes by 5 p.m. April 26.

Thaine Hoffman, AIA Director, Division of Architectural Services

Doc. No. 017490

State of Kansas

Commission for the Deaf and Hard of Hearing

Public Notice

The Kansas Commission for the Deaf and Hard of Hearing is seeking qualified providers who can operate and manage the performance testing portion of the Kansas Quality Assurance Screening (KQAS). KQAS is a system for measuring and certifying the quality of an interpreter's sign language skills. This new approach is expected to reduce the waiting list and improve access to the testing process by creating regional testing locations throughout the state.

A service provider agreement which outlines the functions and specifications that will be required is now available for interested organizations. To receive a copy of the service provider agreement or for more information, contact Karlon Cruse at (913) 296-2874 (Voice/TDD), or 1-800-432-0698 (Voice/TDD).

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 017492

State of Kansas

Legislature

Legislative Bills Introduced

The following numbers and titles of bills and resolutions were recently introduced by the 1996 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka, 66612, (913) 296-4096.

Bills introduced March 28-29:

House Bills

HB 3083, by Committee on Appropriations: An act concerning counties; relating to certain contracts for road and bridge work; amending K.S.A. 68-520, 68-1104 and 68-1116 and repealing the existing sections.

House Concurrent Resolutions

HCR 5054, A proposition to amend article 14 of the constitution of the state of Kansas by adding a new section thereto, providing for a constitutional convention to consider the revision or amendment of the constitution relating to the structure and finance of taxing subdivisions of the state.

HCR 5055, A concurrent resolution directing the board of trustees of the Kansas public employees retirement system to respond to the actuarial audit report submitted March 6, 1996, to the Kansas Legislature.

HCR 5056, A proposition to amend article 15 of the constitution of the state of Kansas by adding a new section authorizing the legislature to provide for a state-owned and operated lottery to operate or conduct electronic games of chance at certain racetrack facilities in the state.

House Resolutions

HR 6021, A resolution supporting a 1996 town hall meeting in Sedgwick County.

HR 6022, A resolution in memory of G.R. "Jerry" Friedeman.

Senate Resolutions

SR 1833, A resolution congratulating the Smoky Hill River Festival upon celebrating its 20th year of providing entertainment and the arts for the Salina community.

SR 1834, A resolution designating April 2, 1996, as Kansas Society Daughters of the American Revolution Day.

SR 1835, A resolution congratulating and commending the Sylvan Unified High School boys' basketball team and Coach Stecklein for winning the 1996 Class 1A State Basketball Championship.

SR 1836, A resolution congratulating and commending Scott Van-Dalsem on being recognized as 1996 Kansas Outstanding Postsecondary Student and current finalist for National Postsecondary Student of the

SR 1837, A resolution congratulating and commending the Belleville High School football team and Coach Bechard for winning the 1995 Class 3A State Football Championship.

SR 1838, A resolution congratulating and commending the Sylvan Unified High School football team and Coach Weatherman for winning the 1995 Eight Man Division II Football Championship.

SR 1839, A resolution recognizing and honoring the National Catholic Forensics League.

SR 1840, A resolution congratulating and commending the Washburn Rural High School girls' basketball team and Coaches Annan and Bordewick for winning the 1996 Class 6A State Basketball Championship in Kansas.

Department of Transportation

Request for Comments on the Statewide Transportation Improvement Program

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 96-98 by adding the following projects:

Project C-3106-01, Bridge Replacement, 3.6 Mi E of US-77 at Geary/Morris County Line

Project C-3424-01, Bridge Replacement, 6.3 mi E of Paola on 311th St. in Miami County

Project C-3427-01, Bridge Replacement, 7 Mi E and 7 Mi N of Hiawatha in Brown County

Project C-3428-01, Bridge Replacement, 3.22 km W of Herington in Dickinson County

Project C-3429-01, Bridge Replacement, 1.8 Mi W and 1 Mi S of Alton in Osborne County

Project C-3432-01, Bridge Inspection, County-wide Bridge Inspection of 111 Bridges in Pratt County

Project K-2610-01, Bridge Replacement, Lincoln/Saline County Line E 8 Mi

Project K-4956-04, Construct US-81 Bypass, RS-145 N to Cloud/Republic County Line

Project K-5086-01, Pavement Reconstruction, East City Limits of Grandview Plaza NE and E 7.8 Mi in Geary County

Project K-5666-03, Pavement Reconstruction, Ramp From WB I-70 E and N to Kansas River Bridge in Shawnee County

Project K-5991-01, Bridge Inspection, Load Rate 120 Illinois Bulletin Slab Bridges Statewide

Project K-6001-01, Intersection Improvement, Old Kansas City Rd. (Old US-169) N of Paola in Miami County

Project K-6002-01, Pavement Reconstruction, Approx. 90M W of Marysville CC Entrance E 1350M in Marshall County

Project K-6006-01, Traffic Signal, Jct. US-54 and 143rd St. E of Wichita in Sedgwick County

Project K-6008-01, Intersection Improvement, North Jct. of K-7/K-52 (9th & Main) in Mound City in Linn County

Project K-6009-01, Traffic Signal, Jct. US160/K57/K126 (4th St.) W of Pittsburg in Crawford County

Project N-0081-01, Intersection Improvement, Jct. US24/ US-40/US-73 & 110th St. in Kansas City in Wyandotte County

Project N-0082-01, Traffic Signal, Jct. of Broadway/2nd St. N and Broadway/3rd St. N in Wichita in Sedgwick County

Project N-0083-01, Intersection Improvement, Jct. of Lincoln and Woodlawn in Wichita in Sedgwick County

Project N-0084-01, Intersection Improvement, Harry and West in Wichita in Sedgwick County

Project N-0091-01, Intersection Improvement, Lincoln and Edgemoor in Wichita in Sedgwick County

Project U-1544-01, Pavement Reconstruction, Airport Rd.: 4th St. N and W to .24 KM E K-61/17th in Reno County Project U-1583-01, Traffic Signal, US-59 and K-10—Clin-

ton Parkway in Lawrence in Douglas County

Project U-1584-01, Traffic Signal, Jct. US-59/K-10 and Jct. US-40/US-59 in Lawrence in Douglas County

Project U-1585-01, Intersection Improvement, Jct. US-40 and Monterey Way in Lawrence in Douglas County Project U-1586-01, Intersection Improvement, K-10 and

Massachusetts in Lawrence in Douglas County

Project U-1587-01, Intersection Improvement, 10th Ave. and Limit St. in Leavenworth in Leavenworth County Project U-1591-01, Intersection Improvement, US-24 and

Állen Rd. in Manhattan in Riley County

Project U-1593-01, Traffic Signal, Jcts. 4th/Severence; 11th/ Poplar; and 23rd/Lorraine in Hutchinson in Reno County

Project U-1594-01, Traffic Signal, K-96 and Monroe in Hutchinson in Reno County

Project U-1595-01, Traffic Signal, Jct. US-81/US-160 and Washington in Wellington in Sumner County

Project U-1602-01, Intersection Improvement, K-18 and 10th St. in Manhattan in Riley County

Project U-1603-01, Intersection Improvement, K-126 and Joplin St. in Pittsburg in Crawford County

Joplin St. in Pittsburg in Crawford County Project X-1890-01, Railroad Improvement, SSW Railway

and Lorraine St. in Hutchinson in Reno County
Project X-1918-02, Railroad Improvement, Realignment of

T228 at Baker in Brown County

Project X-1932-01, Railroad Improvement, BNSF Railway and RS-347 E of Edgerton in Johnson County

Project X-1933-01, Railroad Improvement, BNSF Railway and T-18 W Edge of Kinsley in Edwards County

Project X-1934-01, Railroad Improvement, BNSF Railway and US-183 at Niles in Kinsley in Edwards County

Project X-1935-01, Railroad Improvement, BNSF Railway and Colony Ave. in Kinsley in Edwards County

Project X-1936-01, Railroad Improvement, BNSF Railway and 8th and Atwood in Kinsley in Edwards County Project X-1937-01, Railroad Improvement, SSW Railway

and Madison St. in East Plains in Meade County
Project X-1938-01, Railroad Improvement, SSW Railway

and TR-116 at Collano in Meade County Project X-1939-01, Railroad Improvement, SSW Railway

and FAS-454 at Missler in Meade County
Project X-1940-01, Railroad Improvement, SSW Railway

and T-52 at Cemetery Near Fowler in Meade County Project X-1941-01, Railroad Improvement, SSW Railway

and Main St. (K-98) in Fowler in Meade County Project X-1942-01, Railroad Improvement, SSW Railway

and T-152 E of Fowler in Meade County
Project X-1943-01, Railroad Improvement, SSW Railway

and Fowler (K-23) at Meade in Meade County Project X-1944-01, Railroad Improvement, SSW Railway

and US-283 in Clark County

Project X-1945-01, Railroad Improvement, SSW RR Line—Seward, Meade, Clark, Ford, Kiowa, Pratt and Reno Counties

Project X-1946-01, Railroad Improvement, SSW RR Line—McPherson, Marion, Dickinson, Morris, Wabaunsee and Shawnee Counties

Project X-1948-01, Railroad Improvement, KYLE RR Line—Norton, Phillips, and Smith Counties

The amendment of the STIP requires a 30-day public comment period. To receive more information on any of

these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (913) 296-7916, fax (913) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Information, (913) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude May 13.

E. Dean Carlson Secretary of Transportation

Doc. No. 017497

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, April 22, 1996 31752

Kansas State Fair—Canvas supplies/tent rental 03302 Rebid

Fort Hays State University—Unix server (DEC Alpha 2100 4/233)

Tuesday, April 23, 1996

31707

Kansas State Fair—Janitorial services, Hutchinson 31740

Department of Transportation—Bituminous plant mixture (District 1)

31747

Statewide—Frozen foods

31753

Youth Center at Atchison—Natural gas services 03626

Department of Transportation—Aggregate (District 4), various locations

03627

Department of Transportation—Bituminous plant mix (District 4), various locations

03628

Pittsburg State University—Dining Hall furniture 03631

University of Kansas—Street light fixtures and poles 03644

Kansas Highway Patrol—Emergency lighting

Wednesday, April 24, 1996

31737

Emporia State University—A/C compressors 03632

Kansas State University—Field cultivator, Colby

03633

Department of Transportation—Compact sport utility vehicle, Hutchinson

03634

Department of Transportation—Aggregate (Hugoton)

Thursday, April 25, 1996

31750

University of Kansas—Safe ride program 03639

Ellsworth Correctional Facility—Agricultural tractor 303448 Rebid

Department of Wildlife and Parks—Portable global positioning system receiver

03645

Wichita State University—Unix workstation (Sun Ultra 1)

Friday, April 26, 1996

31746

Statewide—Spices and miscellaneous groceries 03648

Department of Transportation—Wood signposts; Garden City

03653

Fort Hays State University—Insulation pipe and fittings

03654

University of Kansas Medical Center—Photo ID badge system

31751

Department of Health and Environment—Disposal of waste tires

Monday, April 29, 1996

31754

University of Kansas Medical Center—Construction labor

Tuesday, April 30, 1996

31745

Department of Corrections—Laminate, pouches, color video print kit, badge strap clips

Wednesday, May 1, 1996 A-7846

Fort Hays State University—Press box/elevator, Lewis Field Stadium

Thursday, May 2, 1996

A-7064(e)

Kansas State University—C1 parking lot extension, Chester Peters Recreation Complex

A-7866

Fort Hays State University—Wood athletic floor, Gross Coliseum

Thursday, May 9, 1996

31643

Department of Health and Environment—Vaccine distribution services

John T. Houlihan Director of Purchases

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Tuesday, April 30, 1996 726289

Surgical endoscope and accessories

Barbara Lockhart Purchasing Director

Doc. No. 017493

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 or fax (913) 532-5632 for additional information.

Monday, April 22, 1996

#60132

Ion beam profile monitors #60134

Liquid chromatography chem station #60136

Digital real-time oscilloscope

William H. Sesler Director of Purchasing

Doc. No. 017483

(Published in the Kansas Register April 11, 1996.)

Leavenworth County, Kansas Notice to Bidders

Sealed bids will be received by the Board of County Commissioners of Leavenworth County, Kansas, at the County Clerk's Office, County Courthouse, 300 Walnut, Leavenworth, KS 66048, until 8 a.m. April 29. The bids will be publicly opened in the county clerk's office at 8 a.m. and read aloud at the commissioners' meeting at 9 a.m. April 29.

No bidder may withdraw his bid for a period of 90 days after the date of the bid opening, but may modify his bid prior to the opening date by submitting an amended bid to the Leavenworth County Clerk.

Leavenworth County reserves the right to reject any or all bids, including, without limitation, the right to reject any or all nonconforming or conditional bids, and to reject the bid of any bidder if Leavenworth County believes that it would not be in the best interest of the county to make an award to that bidder.

Leavenworth County will require a demonstration of the equipment before final acceptance of a bid.

Additional information may be obtained by contacting Ed Sass or Debbie McRill at (913) 727-3200 or (913) 727-2858

The following minimum specifications shall apply to the purchase of one used 1985 or newer model heavyduty tandem (twin-screw) truck with 60,000 lb. outside reeving frame hoist to be used for transporting roll-off containers.

Engine

Engine to be six cylinder diesel providing a minimum of 230 SAE gross horsepower at 1750 RPM.

Standard equipment necessary to operate and maintain engine, cooling and fuel systems.

Frame

Double frame

Bolted cross members

Minimum 168" cab to center of tandem to accommodate 60,000 lb. reeving frame

Axles and Equipment

Front axle 18,000 lbs. (minimum)

Front springs 18,000 lbs. (minimum)

Power steering

Tubular type front shocks

44,000 lb. rear axles

44,000 lb. Hendrickson rear or similar rear suspension

Standard manufacturers air brake system

Park brakes both rear axles or equal

Clutch-Transmission

Standard manual clutch and transmission with range to move truck and load under soft working conditions and achieve a minimum 60 mph. on hard surface road.

Tires and Wheels

Minimum $10:00 \times 20$ tires

10-hole Dayton-style wheels or cast wheels

Cab

Conventional cab

Tilt hood with spring assist

Air driver seat with companion seat

Instruments and Lights

Standard manufacturers instruments required for operation of vehicle lights and signals required to pass State of Kansas inspection of vehicle for required title and tag.

Paint

Cab and chassis must have received new paint finish in last six months. If bidder vehicle requires painting, Leavenworth County will determine color.

Standard Equipment

All equipment listed as standard by the manufacturer must be furnished and operational. One service manual and parts manual for truck and engine to be supplied.

Warranty

If warranty is included in equipment bid, list terms and conditions.

Please specify date of delivery for equipment.

Leavenworth County, Kansas

(Published in the Kansas Register April 11, 1996.)

Leavenworth County, Kansas **Notice to Bidders**

Sealed bids will be received by the Board of County Commissioners of Leavenworth County, Kansas, at the County Clerk's Office, County Courthouse, 300 Walnut, Leavenworth, KS 66048, until 8 a.m. April 29. The bids will be publicly opened in the county clerk's office at 8 a.m. and read aloud at the commissioners' meeting at 9 a.m. April 29.

No bidder may withdraw his bid for a period of 90 days after the date of the bid opening, but may modify his bid prior to the opening date by submitting an amended bid to the Leavenworth County Clerk.

Leavenworth County reserves the right to reject any or all bids, including, without limitation, the right to reject any or all nonconforming or conditional bids, and to reject the bid of any bidder if Leavenworth County believes that it would not be in the best interest of the county to make an award to that bidder.

Leavenworth County will require a demonstration of the equipment before final acceptance of a bid.

Additional information may be obtained by contacting Ed Sass or Debbie McRill at (913) 727-3200 or (913) 727-2858.

Specifications

(2) Recycle trailers

Axles

2-3,000 lb. capacity axles

Brakes

Hydraulic surge

14"-15" capable of transporting specific load limit

2,000 lb. lift capacity minimum

2" ball coupler (bumper hitch)

All necessary lights and signals for KDOT inspection, title and tag

Bins

10 individual units

5 units on each side

Capability of loading and unloading bins with fork lift equipment

Bin cover attached to trailer allowing protection of materials from weather

Handicapped accessibility (compliance with ADA guidelines)

All standard equipment as specified by manufacturer.

List all terms and conditions of warranty.

Please specify date of delivery of equipment.

Leavenworth County, Kansas

Doc. No. 017507

(Published in the Kansas Register April 11, 1996.)

Leavenworth County, Kansas

Notice to Bidders

Sealed bids will be received by the Board of County Commissioners of Leavenworth County, Kansas, at the County Clerk's Office, County Courthouse, 300 Walnut, Leavenworth, KS 66048, until 8 a.m. April 29. The bids will be publicly opened in the county clerk's office at 8 a.m. and read aloud at the commissioners' meeting at 9 a.m. April 29.

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Leavenworth County will require a demonstration of

the equipment before final acceptance of a bid.

Additional information can be obtained by contacting Ed Sass or Debbie McRill at (913) 727-3200 or (913) 727r who was all the subtree of the day to the contract

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(2) Stationary compactors detail the early while and like

Minimum (2) two cubic yard commercial and

industrial model Totally enclosed hopper
Ground level loading

Ground level loading Interlock on loading door

Safety rails

(2) Compactor controls

Industrial grade hard wire systems

Electrical supply 220-240 single phase

Operator and parts manual

(3) Packer receiver containers compatible with 60,000 lbs.

Outside reeving frame hoist

40 cubic yd. Octagon

All necessary safety latches and door locks for transporting and operation of compactor packing receivers

(2) 30-yard open top roll-off containers

compatible with 60,000 lbs: we like that befored

Outside reeving frame despet of the state of

Ground level height not to exceed 6 feet

1/4" steel floor

12-guage steel sides

18" cross members

Color—Forest Green or similar and server to the training

List terms and conditions of warranty.

Please specify date of delivery for equipment and the second

Leavenworth County, Kansas

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Doc. No. 017506

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20 Party Trail (5) \$2 370 3.5% 化磺酸罐

PARCENIA, ESTAPS

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 4-15-96 thr	ough 4-21-96
Term	Rate
0-90 days	5.14%
3 months	5.14%
6 months	5.43%
9 months	5.50%
12 months	6.04%
18 months	6.09%
24 months	6.06%
36 months	6.23%
48 months	6.37%

Sally Thompson State Treasurer

Doc. No. 017484

(Published in the Kansas Register April 11, 1996.)

City of Shawnee, Kansas Notice to Bidders 46 TE-0028-01 City P.N. 3189

Sealed bids for Little Mill Creek Multi-purpose Trail-Blackfish Parkway to City of Lenexa will be received by the City of Shawnee, Kansas, at the office of the Shawnee City Clerk until 2 p.m. Tuesday, May 14. At that time all sealed bids will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

The project is the construction of a 10-foot-wide concrete trail located off of Blackfish Parkway. The City of Shawnee and the Kansas Department of Transportation have entered into an agreement for the use of Federal Transportation Enhancement (ISTEA) funds for this project.

All bids shall be submitted in sealed envelopes addressed to the finance director of Shawnee, Kansas, and marked "Bid for Little Mill Creek Multi-purpose Trail." Copies of plans, specifications, bid documents and other contract documents are on file at the office of Shafer, Kline & Warren, P.A., 11100 W. 91st, Overland Park, Kansas. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from Shafer, Kline & Warren, P.A., upon payment of \$30, which is not refundable.

Contractors should read and be fully familiar with all contract documents before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith, that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and include in its bid a sum to cover the cost of all items of the work.

There will be no discrimination against anyone because of race, age, religion, color, sex, disability or national origin in the award of contracts. Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the city to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

The following items must be included in the sealed envelope with the bid (if any item is missing, the bid will not be accepted):

- a. Bid
- b. 5% Bid Security—Bid Bond, Cashier's Check or Certified Check (see below)
- c. Required Contract Provision (RCP-1)
- d. Required Contract Provision Certification—Federal Funds—Lobbying (CFL-1)
- e. History of Debarment (NHB-1)

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the City of Shawnee, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the City of Shawnee until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening, provided that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

City of Shawnee, Kansas Doug Wesselschmidt, P.E. City Engineer

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balances are \$1,260,134.56 in the underground petroleum storage tank release trust fund and \$6,716,061.70 in the aboveground petroleum storage tank release trust fund at March 31, 1996.

Sheila Frahm Secretary of Administration

Doc. No. 017496

State of Kansas

Department of Health and Environment

Public Notice

The Kansas Department of Health and Environment has received and reviewed a municipal solid waste landfill permit application for a landfill to be located at 10349 110 Road approximately 5 miles north of Dodge City in Ford County. The facility will be owned and operated by Ford County. The site area is 160 acres with approximately 80 acres permitted for disposal. Approximately 5½ acres are developed for disposal in the initial stage. KDHE is providing public notice of its intent to issue a municipal solid waste landfill permit to Ford County.

A copy of the administrative record, which includes the draft permit, permit application, and all information regarding this permit action, is available for public review from April 12-May 17 during normal business hours, 8 a.m. to 4:30 p.m. Monday through Friday, at the following locations:

Kansas Department of Health and Environment Solid Waste Section Forbes Field, Building 740 Topeka, 66620 Contact: Miles Stotts (913) 296-1601

Kansas Department of Health and Environment Southwest District Office 302 W. McArtor Road Dodge City, 67801 Contact: Don Ubel (316) 225-0596

Anyone wishing to comment on the draft permit or permit application should submit written statements postmarked not later than May 17 to Miles Stotts at the KDHE Forbes Field address.

A public hearing will be conducted in conjunction with the public comment period. A public hearing has been scheduled for 11 a.m. Wednesday, May 15, in the Rose Room at the Ford County Government Center, 100 Gunsmoke, Dodge City. After consideration of all comments received, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision.

James J. O'Connell Secretary of Health and Environment

Doc. No. 017504

State of Kansas

Department of Health and Environment

Public Notice

The Kansas Department of Health and Environment has received and reviewed a municipal solid waste land-fill permit odification from Butler County. KDHE is providing public notice of Butler County's intent to mod28 Township South a horizontal Subtitle "D" expansion adjacent to the existing landfill. The facility (Permit #100) is located on a 104-acre tract in the West Half of Section 28, Township 26 South, Range 5 East. The site is approximately 1.5 miles south and 1 mile west of El Dorado.

A copy of the administrative record, which includes the draft permit, permit application and all information regarding this permit action, is available for public review April 16-May 17 during normal business hours, 8 a.m. to 4:30 p.m. Monday through Friday, at the following locations:

Kansas Department of Health and Environment Solid Waste Section Forbes Field, Building 740 Topeka, 66620 Contact: Miles Stotts (913) 296-1601 Butler County Courthouse

205 W. Central Room 205 El Dorado, 67042

Contact: Darryl Lutz, P.E., Butler County Engineer

(316) 322-4101

A public hearing will be conducted at 10 a.m. Friday, May 17, in the South Room of the Butler County Community Building, 200 N. Griffith, El Dorado. For further information, contact Brenda Brack, KSU/Butler County Extension Service, (316) 321-9660.

Anyone wishing to comment on the draft permit or permit application should submit written statements postmarked not later than May 17 to Miles Stotts, KDHE (as listed above). After consideration of all comments received, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision.

James J. O'Connell Secretary of Health and Environment

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of March 1996 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

Accessible Arts, Inc., Olathe, KS. AHP Foundation, Falls Church, VA Alpha XI of Sigma Chi, Inc., Lawrence, KS. Am-Vets Department of Kansas, Inc., Hutchinson, KS. American Institute of Graphic Arts, Wichita Chapter, Wichita, KS.

American Legion Auxiliary, Unit #68, Lyle Rishel Post, Department of Kansas, Inc., Hutchinson, KS. Anchor Trucking Service, Inc., Kansas City, KS. Arrowhead Communications and Engineering, Inc., Olathe, KS.

Auctions Unlimited, Inc., Bonner Springs, KS. Barton Area Arts Council, Inc., Great Bend, KS. Barton County Community College Foundation,

Great Bend, KS. Bears' Booster Club, Inc., St. Marys, KS. Bentgrass Development Company, El Dorado, KS. Bethel Church of the Nazarene, Johnson, KS.

Bethphage Mission, Inc., Omaha, NE. Boot Hill Repertory Company, Dodge City, KS.

Brotherhood Presbyterian Church, Wichita, KS.

Cee Gee Sales, Inc., Carthage, NC.

Central Christian Church of Belleville, Kansas, Belleville, KS.

Central Kansas Bankshares, Inc., Hutchinson, KS. Chapter 4, The Retired Enlisted Association, Inc. (TREA), Junction City, KS.

Children's Discovery World, Inc., Manhattan, KS. Christ Community Church of the Nazarene, Inc., Olathe, KS.

Col. E. L. Willson Jr. Post Number 2699-Veterans of Foreign Wars of the United States, Marysville, KS. Community Development Inc., Lawrence, KS. Community Health Care Systems, Inc., Onaga, KS. Concerned Women for America, Washington, DC.

Contemporary Housing Alternatives, Inc., Topeka, KS.

Cornish Wireline Services, Inc., Chanute, KS. Cougar Booster Club, Inc., Great Bend, KS.

Countryside Christian Church, Topeka, KS.

Crush Premier Soccer Club, Overland Park, KS. Cynthia O'Connell Foundation for Teacher Excellence,

Shawnee Mission, KS 2014 (1905)

Data Solutions, Inc., Topeka, KS.

Defunct I, Inc., Garden City, KS.

Defunct II, Inc., Garden City, KS. Defunct III, Inc., Garden City, KS.

Derby Villa, Inc., Derby, KS.

Double M Investments, Inc., Wichita, KS.

Douglass Chamber of Commerce, Douglass, KS. Empiregas of Arma, Inc., Lebanon, MO. Evans Mechanical Co., Inc., Overland Park, KS. F. S. Katz Head & Neck, P.A., Mission, KS. Family Health Center of Overland Park, Inc., Overland Park, KS.

First Fuel Bank of Kansas, Inc., Lawrence, KS. First Mortgage Co., Wichita, KS.

Gardner Friends Church, Inc., Gardner, KS.

Graham County Economic Development Corporation, Hill City, KS.

Great Plains Hotel Corporation, Topeka, KS.

Hi Fashion, Inc., Kansas City, KS.

Home Town Village, Incorporated, Mulberry, KS.

International Assets, Inc., Shawnee, KS.

International University of Thailand Foundation, Inc., Pittsburg, KS.

J. & B. Transportation Co., Inc., Kansas City, KS. J, J, & K, Inc., Lenexa, KS.

Jamie Construction, Inc., Overland Park, KS.

Juanchito Restaurant & Lounge Inc., Merriam, KS. Kansas City Amateur Hockey Association,

Kansas City, MO.

Kansas City Chamber Orchestra Incorporated, Prairie Village, KS.

Kansas Grain Sorghum Producers Association, Garnett, KS.

Kansas Leadership Forum, Inc., Hays, KS. Kansas Multicultural Arts Alliance, Inc., Wichita, KS.

Kansas Scottish Rite Foundation, Inc., Wichita, KS. Kansas United Soccer League Association, Overland Park, KS.

Kansas Women Work! An Affiliate of the National Network for Women's Employment, Inc., Garden City, KS.

Kappa Kappa Gamma House Association, Lawrence, KS.

Korean Antioch Church of the Nazarene, Inc., Kansas City, KS.

L. A. Shepard Company, Inc., Leawood, KS.

Larned Lions Club, Larned, KS. Lawn Green, Inc., Louisburg, KS.

M. B. Associates, Inc., Leawood, KS.

M. T. Homes, Inc., Derby, KS.

McManis Organs, Inc., Woodbury, CT.

Meadowlark School, Inc., Lawrence, KS.

Metro Vineyard Fellowship Olathe Worship Center, Inc., Olathe, KS.

Metropolitan Ballet of Wichita, Inc., Wichita, KS

MidAmerica Nazarene College Foundation, Olathe, KS Midwest Ag, Inc., Harper, KS.

MJM of Abilene, Inc., Abilene, KS.

National Council of African American Men, Inc. (NCAM), Lawrence, KS.

National Park Trust, Inc., Washington, DC. National Psoriasis Foundation, Portland, OR.

Nelson Investment Company, Inc., Kansas City, KS.

New Change, Inc., Dodge City, KS.

Nico, Inc., Hastings, NE.

Ninnescah River Valley Builders, Inc., Milton, KS. North Redskins Music Boosters, Inc., Wichita, KS. Oak Hill Elementary School PTO, Inc., Overland Park, KS.

Oak Leaf Club, Inc., Iola, KS.

Odin Community Club, Inc., Claflin, KS.

Olathe Christian School, Inc., Olathe, KS.

Osborne County Genealogical and Historical Society, Osborne, KS.

Ott Bros. Machine Co., Inc., Wichita, KS.

Outside Connections, Inc., Lansing, KS.

Oxford Park Academy, Inc., Shawnee Mission, KS.

Palen Cattle Co., Inc., Scott City, KS.

Penn-Kan Resources, Inc., Wichita, KS.

Penneco Oil of Kansas, Inc., Wichita, KS.

Phi Sigma Kappa Alpha Epsilon Alumni Association, Topeka, KS.

Phonefriend of Ottawa, Kansas, Inc., Ottawa, KS.

Region I Emergency Medical Services Development,

Phillipsburg, KS.

Saint Mary of the Plains College, Dodge City, KS.

Sandpoint, Incorporated, St. Paul, KS.

Satanta Feed Yard, Inc., Satanta, KS.

Schreiner's, Inc., Ogallah, KS.

Sheetz Farms, Inc., Norwich, KS.

Sigma Phi Epsilon Fraternity, Kansas Delta Chapter,

Incorporated, Topeka, KS.

Smoky Hill Housing Corporation, Salina, KS.

Sophia Berman Molk Foundation, El Dorado, KS.

South Central Kansas Economic Development District, Inc., Wichita, KS.

Spa, Pool & Fireside, Inc., Olathe, KS.

St. Mark's A. M. E. Church of Topeka, Kansas, Inc., Topeka, KS.

St. Nicholas Catholic School Endowment Fund, Dodge City, KS.

State Line Health Network, Inc., St. Francis, KS.

Storm Services, Inc., Hutchinson, KS. T. & H. Nikkel Ranch, Inc., Cheney, KS.

The American Legion Memorial Hall of Oberlin, Kansas, Oberlin, KS.

The Blessed Hope Church, Inc., Gardner, KS.

The Care Network for People with Disabilities, Inc., Kansas City, KS.

The Center for North American Amphibians and

Reptiles, Inc., Lawrence, KS.

The Foundation for a Christian Civilization, Inc., York New Salem, PA.

The Garden City Western Railway, Inc., Garden City, KS.

The High Plains Astronomical Society, Dodge City, KS.

The Independent School, Inc., Wichita, KS.

The Kansas Association of Directors of Plant Facilities Scholarship Program, Sublette, KS.

The LaCrosse Chamber of Commerce, LaCrosse, KS.

The Manions International Auction House, Inc., Kansas City, KS.

The Piano Man's Family Music Center, Inc., Mission, KS.

The Renegade Theatre Company, Inc., Lawrence, KS.

The Topeka Psychoanalytic Society, Topeka, KS. The Topeka Youth for Christ, Inc., Topeka, KS.

The University of Kansas Athletic Corporation, Lawrence, KS.

The Washburn Phi Delta Theta Fraternity Alumni Association, Topeka, KS.

Troy Burns Harvesting, Inc., Cimarron, KS.

Unique Flowers & Gifts, Inc., Johnson, KS.

United Federation of Chronic Fatigue Syndrome, Chronic Fatigue Immune Dysfunction Syndrome, Myalgic Encephalomyelities Organizations, Inc., Kansas City, KS.

Upsilon Chapter House Corporation of Alpha Phi International, Topeka, KS.

Valley Equipment, Inc., Manhattan, KS.

Valley Falls Cooperative Preschool Association, Valley Falls, KS.

Vanora Christian Laymen's Association, Inc., El Dorado, KS.

Waco Land & Cattle Co., Weskan, KS.

Wichita Rotary Charitable Fund, Inc., Wichita, KS. Zaroco, Inc., Lawrence, KS.

Foreign Corporations

Anchor Construction, Inc., Kansas City, MO. Apostolic Assembly of the Faith in Christ Jesus,

Rancho Cucamonga, CA.

B.S.C., Inc., Olathe, KS.

Barr Management, Inc., Kansas City, MO.

Choice, Inc., Fort Worth, TX.

CMS Therapies Provider, Inc., Mechanicsburg, PA.

CMS Therapies, Inc., Albuquerque, NM.

Cornbelt Chemical Company, McCook, NE.

D.H. Dagley Associates, Inc., Atlanta, GA.

Dari-West Marketing, Inc., Salt Lake City, UT.

Demeter, Inc., Fowler, IN.

Diabetes Treatment Centers of America, Inc., Nashville, TN.

Dunkin' Donuts Incorporated, Randolph, MA.

Eaton ETN Offshore Ltd., Cleveland, OH.

Empiregas Inc. of Kansas City, Lebanon, MO.

Farmers Commodities Corporation, Des Moines, IA.

FCC Futures, Inc., West Des Moines, IA.

Gaines, Berland Inc., New York, NY.

Harmon Glass Company, Minneapolis, MN.

Hawk, Inc., Montgomery, AL.

Heartland Hospital, St. Joseph, MO.

Honey Bake Farms, Inc., Kansas City, KS.

Ilm I Lease Corporation, Boston, MA.

Jane Phillips Episcopal Hospital, Inc., Bartlesville, OK.

Laidlaw Environmental Services (FS), Inc., Wilmington, DE.

Laidlaw Environmental Services (TS), Inc., Columbia, SC.

H C Players Theatrical Company, Kansas City, MO.

Medicap Corporation, Baton Rouge, LA.

Metalizing & Protective Coatings of America, Inc., Texas City, TX.

Modicon, Inc., North Andover, MA.

Nutra Blend Corporation, Neosho, MO.

Occu-Tec, Incorporated, Kansas City, MO.

OEV Investors Corp., Lawrence, NY.

OEV Management Corp., Lawrence, NY.

OEV Realty Corp., Lawrence, NY.

Oil of Oy Vay, Incorporated, Santa Monica, CA.

(continued)

Ozark Fire Protection, Inc., Warsaw, MO.
Portable Health Services Corporation, Kansas City, MO.
Premier Salons International, Inc., Minnetonka, MN.
S & M Liquid Tire Fill, Inc., Bothwell, Ontario, Canada.
Sarann Auto Leasing, Inc., Blue Springs, MO.
Shared Physicians Network, Inc., Mesquite, TX.
Specialty Grain Company, Dearborn, MI.
Star - 3 Imports, Inc., Joplin, MO.
Symbol Technologies, Inc., Bohemia, NY.
Tamarack Ltd., Agawam, MA.
Tenneco Credit Corporation, Houston, TX.
United Cerebral Palsy Association of Greater Kansas
City, Inc., Kansas City, MO.
Vanguard Pipeline Corporation, Houston, TX.
W.S.A., Inc., Minneapolis, MN.

Ron Thornburgh Secretary of State

Doc. No. 017500

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality general Class I operating permit. A proposed general Class I operating permit has been developed for natural gas compressor stations in accordance with the provisions of K.A.R. 28-19-510 et seq. and K.A.R. 28-19-400 et seq. Emissions of oxides of nitrogen, sulfur oxides, carbon monoxide, particulate matter with an aerodynamic diameter less than or equal to 10 microns, hydrogen sulfide, volatile organic compounds and hazardous air pollutants were evaluated during the permit review process.

If the proposed general Class I operating permit for natural gas compressor stations is issued, a major air emission source which qualifies may submit an application to operate under the terms of the general permit. If KDHE approves the application and authorizes the major source to operate in accordance with the terms of the general permit, then those emission units, emission points and other sources of emissions located at the major source which are specified in the application and which are addressed in the general permit will have satisfied the requirements of Title V of the federal Clean Air Act and the Kansas program approved thereunder.

Authorizations to operate under the terms of the general Class I operating permit issued by KDHE will state the name and address of the entity authorized to operate under the terms of the general Class I operating permit; include a list of all emission units, emission points and other sources of emissions located at the major source which are authorized to operate under the terms of the general Class I operating permit; and specify which provisions of the general permit apply to the various emission units, emission points and other sources of emissions.

Each month, the name and location of any major source that has been authorized to operate under the terms of

the general Class I operating permit will be published in a newspaper of general circulation in the area within which the major source is located and in the Kansas Register. The notice will solicit comments from interested persons and will state that copies of the permit application, authorization and other supporting documentation regarding the relevant major source will be available for review at the central office of the Bureau of Air and Radiation and the appropriate district office or local agency. A list of all major sources within the state which are authorized to operate under the terms of the general Class I operating permit will be maintained at the Topeka offices of KDHE.

A copy of the proposed general Class I operating permit, proposed permit application and instructions, and proposed authorization format is available for public review during normal business hours at the following locations:

- KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620; Contact Person: Chuck Layman, (913) 296-1579
- North Central District Office, 2501 Market Place, Suite D, Salina, 67401; Contact Person: Rick Brunetti, (913) 827-9639
- Northeast District Office, 800 W. 24th, Lawrence, 66046; Contact Person: Pat Simpson, (913) 842-4600
- Northwest District Office, 2301 E. 13th, Hays, 67601; Contact Person: Rick Robinson, (913) 625-5663
- South Central District Office, 130 S. Market, 6th Floor, Wichita, 67202; Contact Person: Dave Butler, (316) 337-6020
- Southeast District Office, 1500 W. 7th, Chanute, 66720; Contact Person: Lynn Ranabargar, (316) 431-2390
- Southwest District Office, 302 W. McArtor Road, Dodge City, 67801; Contact Person: Wayne Neese, (316) 225-0596
- Johnson County Environmental Department, 11180 Thompson Ave., Lenexa, 66219; Contact Person: Mike Boothe, (913) 492-0402
- Topeka-Shawnee County Health Agency, 1615 W.
 8th, Topeka, 66601; Contact Person: Mike Lohmeyer, (913) 368-3650
- Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita, 67214; Contact Person: Fred Spencer, (316) 268-8448
- Wyandotte County Health Department, 619 Ann Ave., Kansas City, KS 66101; Contact Person: Bruce Andersen, (913) 573-6700

To obtain or review the proposed permit, proposed application forms and instructions, and the proposed authorization format, contact the person listed for the appropriate office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Chuck Layman, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of busi-

ness May 13 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business May 13 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has 45 days after receipt of the proposed general Class I operating permit within which to object to the proposed general permit. If the EPA has not objected in writing to the issuance of the general permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to make an objection. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period.

A copy of the general Class I operating permit, copies of the application forms and instructions, and a copy of the authorization format are being submitted to the EPA simultaneously with publication of this notice. Contact Gary Schlicht, EPA, Region VII, Air Permitting and Compliance Branch, 726 Minnesota Ave., Kansas City, KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

James J. O'Connell Secretary of Health and Environment

Doc. No. 017502

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-96-93/95

Name and Address of Applicant R. E. Roseberry 2030 Kingman Road Ottawa, KS 66067 **Legal Description**NE/4, Sec. 20, T17S, R19E, Franklin County

Receiving Water Marais des Cygnes River Basin

Kansas Permit No. A-MCFR-S008

This is an existing facility for 800 head (320 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Charles Ronnau	NW/4, Sec. 1,	Kansas River
27155 Oregon Road	T10S, R11E,	Basin
St. Marys, KS 66536	Pottawatomie	Jan Prusens?
	County	a Secondaria?

Kansas Permit No. A-KSPT-S031

This is an existing facility for 660 head (200 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Charles Ronnau	NE/4, Sec. 9,	Kansas River
27155 Oregon Road	T10S, R12E,	Kansas River Basin
St. Marys, KS 66536	Pottawatomie	
	County	•

Kansas Permit No. A-KSPT-S007

This is an existing facility for 600 head (120 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Public Notice No. KS-96-057/060

Name and Address	Type of
of Applicant W	aterway Discharge
	alnut River via Treated domestic
c/o Frank Hanks ui	ınamed tributary 🦠 wastewater 🚜 🛷 🥏
859 S.E. Spires Road	and the same of the first
El Dorado, KS 67042	and the second s
Kansas Permit No. C-WA09-OO	03 Federal No. KS-0092525

Facility Location: SW1/4, Section 22, Township 26S, Range 5E, Butler County

Facility Description: This a new permit for an existing facility. The facility consists of a two-cell wastewater treatment lagoon system treating domestic wastewater. The proposed permit contains a schedule of compliance requiring the facility to obtain the services of a KDHE-certified operator. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address		Type of
of Applicant	Waterway	Discharge
City of Maize	Big Slough Creek	Treated domestic
P.O. Box 245	Lower Arkansas	wastewater
Maize, KS 67101	River	and the second second

Kansas Permit No. M-AR58-OO02 Federal No. KS-0092258

Facility Location: SE¹/₄, Section 16, Township 26S, Range 1W, Sedgwick County

Facility Description: The proposed permit is for a new wastewater treatment facility to replace the existing facility. The new facility consists of a mechanical wastewater treatment system treating domestic wastewater. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

(continued)

Name and Address of Applicant Waterway City of Iola Neosho River Iola Power Plant P.O. Box 308 Iola, KS 66749

Type of Discharge Noncontact

cooling water

Kansas Permit No. I-NE37-CO01

Federal No. KS-0078905

Facility Description: The permit is for an existing facility. The facility is a standby electrical generating station used for peaking and emergency power. Untreated Neosho River water is used in cooling two steam electric generators. The facility is normally operated during the summer months. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address Type of of Applicant Discharge Waterway Mine dewatering National Gypsum Co. Arkansas River via Sun City Mine Medicine Lodge and stormwater Route 1, P.O. Box A River via unnamed Medicine Lodge, KS 67104 tributary Kansas Permit No. I-AR86-PO01 Federal No. KS-0092495

Facility Description: The proposed permit is for the existing facility. The facility mines gypsum rock with no washing. Underground mines are dewatered and the water is pumped to an evaporative pond. This pond only discharges after a heavy rain. Other quarry pits onsite do not discharge. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Public Notice No. KS-ND-96-033/036

Name and Address Legal Type of of Applicant Location Discharge Earth Rising, Inc. NW1/4, S31, Nondischarging P.O. Box 10442 T9S, R21E, Kansas City, MO Leavenworth 64171-0442 County

Kansas Permit No. C-KS71-NO03

Facility Description: The proposed permit is for issuance of a new permit for operation of a new nondischarging wastewater treatment facility treating domestic wastewater. Disposal of the lagoon wastewater is by percolation and evaporation.

Name and Address Legal Type of of Applicant Location Discharge Chris Dugan SE1/4, S7, Nondischarging Pizza Villa, Inc. T28S, R1W, Route 1, Box 39 Sedgwick County

Clearwater, KS 67026

Kansas Permit No. C-AR94-NO11

Facility Description: The proposed permit is for reissuance of an existing permit for operation of an existing nondischarging wastewater treatment plant treating domestic wastewater. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permit has a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator.

Name and Address Legal Type of of Applicant Location Discharge Resource Control, Inc. NW1/4, S2, Nondischarging c/o Roger Kvasnicka T11S, R8E, P.O. Box 722 **Riley County**

Kansas Permit No. M-KS38-NO03

Manhattan, KS 66502

Facility Description: The proposed permit is for reissuance of an existing permit for operation of an existing nondischarging wastewater treatment plant treating domestic wastewater. Disposal of the lagoon wastewater is by percolation and evaporation. The proposed permit has a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator.

Name and Address of Applicant

Kansas Pipeline Partnership Beaumont Compressor

Location NE1/4, S21, T27S, R9E.

Legal

Type of Discharge Nondischarging.

Station Greenwood County

8325 Lenexa Drive Suite 400 Lenexa, KS 66214

Kansas Permit No. I-WA23-NO01

Facility Description: The proposed permit is for reissuance of an existing permit. Three underground concrete tanks are contained in a 30-mil synthetic liner with an intermediate leachate detection system. Two of these tanks are used to collect washwater from the floor trench in the compressor building. The third tank is used for collecting waste lube oil which is regulated by another KDHE program. The washwater is hauled off-site. Domestic wastewater is directed to a septic tank/lateral field.

Public Notice No. KS-EG-96-032/036

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the continued use of Class I nonhazardous waste injection wells for the applicants described below.

Name and Address of Applicant

Well Location

Koch Hydrocarbon Company **Hutchinson Facility** 1910 S. Broadacres Road Hutchinson, KS 67501

Well Identification #2 KS Permit No. KS-01-155-002 SE NW SW, S22, T23S, R6W, Reno

County

1502' fsl and 4410' fel from SE corner of

Well Identification #3 KS Permit No. KS-01-155-003 NE SW SW, S22, T23S, R6W, Reno

County

863' fsl and 4208' fel from SE corner of

Description: The facility is a natural gas liquids fractionation plant and underground storage facility for hydrocarbon gas products. The fluids to be injected are described as nonhazardous liquid waste consisting of cooling tower blowdown, water softener regeneration water, stormwater runoff and waste brines from the underground hydrocarbon storage operation.

Name and Address of Applicant

Well Location

Koch Hydrocarbon Company Hillside Facility 1910 S. Broadacres Road Hutchinson, KS 67501

Well Identification #2

KS Permit No. KS-01-155-007

NE SE NW, S28, T23S, R6W, Reno

3790' fsl and 3080' fel from SE corner of section

Description: The facility is a natural gas liquids fractionation plant and underground storage facility for hydrocarbon gas products. The fluids to be injected are described as nonhazardous liquid waste consisting of waste brines from the underground hydrocarbon storage operation.

Name and Address of Applicant

Well Location

Northern Natural Gas Co. **Seward County Facility** Route 1, Box 17 Hugoton, KS 67951

Well Identification #1 KS Permit No. KS-01-155-001 Center SW NW, S1, T32S, R33W, Seward County 3300' fsl and 4620' fel from SE corner of

Description: The facility is a pipeline compressor station. The fluids to be injected are described as nonhazardous liquid waste consisting of cooling tower blowdown, engine washwater and boiler blow-

Name and Address of Applicant

Well Location

Northern Natural Gas Co. Mullinville Facility P.O. Box 47 Mullinville, KS 67109

Well Identification #1 KS Permit No. KS-01-097-001 Center SE SE, S20, T28S, R19W, Kiowa County

660' fsl and 660' fel from SE corner of

Description: The facility is a pipeline compressor station. The fluids to be injected are described as nonhazardous liquid waste consisting of cooling tower blowdown, water softener regeneration water, building floor drains, secondary containment for jacket water tower, salt brine tank, liquid hydrocarbon storage tank, and oil skimming unit, boiler blowdown, water tower water resulting from emergency or repairs, and wastewater from the Northern Natural Gas Macksville facility consisting of stormwater runoff, water softener regenerate and building floor drains during emergency conditions.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits, or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before May 10 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-93/95, KS-96-057/060, KS-ND-96-033/036, KS-EG-96-032/036) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/ or announcement of the public notice or public hearing is handled by the Kansas Department of Health and En-

vironment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> James J. O'Connell Secretary of Health

and Environment

State of Kansas

Attorney General

Opinion No. 96-27

State Boards, Commissions and Authorities—Department of Commerce and Housing-Private Activity Bond Allocation; Legal Authority of Department to Assess Fees for Allocation of State Ceiling. Senator Marge Petty, 18th District, Topeka, March 21, 1996

The Kansas Legislature has not authorized the Department of Commerce and Housing to impose fees on governmental entities seeking an allocation of the state ceiling applicable to the issuance of qualified private activity bonds, as that term is defined by the Internal Revenue Code of 1986. Absent such statutory authorization, the imposition of such fees exceeds the scope of authority conferred on the department by the legislature. Cited herein: K.S.A: 1995 Supp. 9-1703; K.S.A. 10-108; 10-503; 10-625; 17-1270; 65-103a; 72-127; 72-7518; 74-550; K.S.A. 1995 Supp. 74-5005; K.S.A. 74-5058; 74-5060; 74-5061; 74-5062; 75-409; 75-437; 75-704; 75-3036; 75-5023; K.S.A. 1995 Supp. 75-5733; K.S.A. 75-5908; K.S.A. 1995 Supp. 76-12a08; 26 U.S.C. §§ 103, 141, 142, 143, 144, 146. JLEG

Opinion No. 96-28

Banks and Banking: Trust Companies—Banking Code; Deposit of Public Moneys—Securities for Deposits of Public Funds; Securities Owned by Wholly-Owned Subsidiary of Depository Bank. Senator Tim Emert, 15th District, Independence, March 22, 1996.

K.S.A. 1995 Supp. 9-1402(d) authorizes a Kansas bank to secure public funds deposited therein by depositing, maintaining, pledging and assigning certain securities for the benefit of the municipal corporation or quasi-municipal corporation, or by causing its agent, trustee or an affiliate having identical ownership to deposit, maintain, pledge and assign such securities. Eligible securities owned by a wholly-owned subsidiary of the bank may be deposited, maintained, pledged and assigned to secure deposits of public funds on behalf of the parent bank if the subsidiary is the agent of the depository bank or is an affiliate bank having identical ownership. Such pledged securities may not be deposited for safekeeping in any bank which is owned directly or indirectly by any parent corporation of the depository bank, or with any bank having common controlling shareholders, common majority of the board of directors or common controlling directors with the bank securing such deposits. Cited herein: K.S.A. 1995 Supp. 9-1402; 9-1405. JLM

Opinion No. 96-29

State Boards, Commissions and Authorities-Public **Employees Retirement Systems; Provisions Affecting** Systems Administered by KPERS Board of Trustees-Credit for Service and Compensation Under Other Systems, When; Constitutionality. Representative Darlene Cornfield, 90th District, Valley Center, March 22, 1996.

K.S.A. 1995 Supp. 74-4988 requires when a member of the Kansas Public Employees Retirement System (continued)

(KPERS), the Kansas Police and Firemen's Retirement System (KP&F), or the retirement system for judges combines service under more than one retirement system in order to achieve eligibility to receive benefits, the member must submit an application to retire under each retirement system before benefits become payable. A determination of whether the provision set forth in L. 1995, ch. 267, § 26 violates the vested interests of members of KPERS involves a question of fact which must be determined by a court of law. If the enactment which includes a provision requiring members to submit an application to retire from all retirement systems before being eligible to receive retirement benefits from KPERS includes offsetting or counterbalancing advantages to the effected group of members, the provision does not result in a violation of vested contractual rights of the members. Cited herein: K.S.A. 20-2601; 20-2601a; 74-4901; K.S.A. 1995 Supp. 74-4909; 74-4914; K.S.A. 74-4934; 74-4951; K.S.A. 74-4951a; 74-4953; 74-4978f; K.S.A. 74-4978f; K.S.A. 1995 Supp. 74-4988; 74-4989; K.S.A. 74-49,100; K.S.A. 1995 Supp. 74-49,104; L. 1995, ch. 267, §§ 2, 3, 8, 22, 26, 27; U.S. Const., Art. 1, § 10; U.S. Const., Amend. V, XIV. RDS

Opinion No. 96-30

Labor and Industries—Workers Compensation—Attorney Fees; Limitations; Lien; Review of Contracts and Fees Claimed. Senator Mike Harris, 27th District, Wichita, March 22, 1996.

The Kansas Supreme Court has the inherent power to prescribe conditions for admission to the bar and to regulate and control the practice of law. While there are statutes that relate to the practice of law, such statutes are effective only when in accord with the inherent power of the judiciary. Both K.S.A. 44-536(a) and Rule 1.5(d) of the Kansas model rules of professional conduct adopted by Supreme Court Rule 226 deal with how attorney fees in contingent fee cases are calculated. Because both the court's rule and the statute are intended to achieve the same goal, the legislation does not have a deleterious impact on the court's function. For this reason, K.S.A. 44-536(a) does not amount to a usurpation of power in contravention of the separation of powers doctrine, and therefore is a statutory enactment which the court would sanction as in accord with the court's inherent power to regulate and control the practice of law. Cited herein: K.S.A. 7-103; 7-104; 7-106; 7-108; 7-109; 7-111; K.S.A. 1995 Supp. 7-121b; K.S.A. 44-510c; 44-521; 44-531; 44-536. GE

Opinion No. 96-31

Crimes and Punishments; Kansas Criminal Code— Crimes Against the Public Morals—Gambling; Internet Gambling. Senator Lana Oleen, 22nd District, Manhattan, March 25, 1996.

Placing, receiving or forwarding a bet and participating in or conducting a lottery on the Internet violates Kansas criminal gambling statutes. If a bet is placed or a lottery is engaged in from a computer located in Kansas, any person or entity participating in such crime may be prosecuted in this state. Cited herein: K.S.A. 21-3104; 21-4302; 21-4303; 21-4304; 21-4305; 21-4308; 22-2612. JLM

Opinion No. 96-32

State Departments; Public Officers and Employees—Public Officers and Employees; Open Public Meetings;

Meeting Defined; Majority of a Quorum; Authority of Board of Dental Examiners to Raise Quorum Number. Dr. Estel L. Landreth, President, Kansas Board of Dental Examiners, March 25, 1996.

The Kansas Dental Board does not possess express or implied authority to alter the number of members required to constitute a quorum, thereby altering the requirements of the Kansas open meetings act. Cited herein: K.S.A. 65-1421; 74-1404; 74-1406; 75-4317; K.S.A. 1995 Supp. 75-4317a; Kan. Const., Art. 12, § 5. TMN

Opinion No. 96-33.

State Boards, Commissions and Authorities—Law Enforcement Training Center; Training Commission—Definitions; Police Officer; Law Enforcement Officer. Ed H. Pavey, Director, Kansas Law Enforcement Training Center, Hutchinson, March 25, 1996.

The grant of limited arrest authority pursuant to K.S.A. 22-3716 does not bring community correctional officers within the group of persons whose duties include the prevention, detection and enforcement of Kansas' criminal laws. A community correctional officer, including a parttime surveillance officer or an intensive supervision officer, is not a "law enforcement officer" for purposes of the law enforcement training act. Cited herein: K.S.A. 21-4603; 21-4610; 22-3716; K.S.A. 1995 Supp. 74-5601, 74-5602; 74-5602a; K.S.A. 74-5604; K.S.A. 75-5290; 75-5295. CN

Opinion No. 96-34

Corporations—Limited Liability Companies—Powers. Senator Dick Bond, 8th District, Overland Park, April 1, 1996.

Licensed medical practitioners and a licensed hospital may organize as a limited liability company pursuant to K.S.A. 17-7601 et seq. Consistent with K.S.A. 17-7604(q) and Kansas case law, the limited liability company may contract with other medical practitioners to provide health care services. Cited herein: K.S.A. 17-2708; 17-2710; 17-7602; 17-7603; 17-7604; 17-7620; 17-7631; K.S.A. 1995 Supp. 40-3401; 65-425; K.S.A. 65-429; 65-442; 65-2801. GE

Opinion No. 96-35

State Departments; Public Officers and Employees—Civil Service—Layoff Benefit Package for Employees of Certain State Hospitals. Senator Dave Kerr, 34th District, Hutchinson, April 2, 1996.

Substitute for Senate Bill No. 388, which contains provisions for a special layoff benefit package available only to certain state hospital employees, does not violate the equal protection clause of the Fourteenth Amendment to the United States Constitution because the classification is rationally related to the legitimate state objective of ensuring that the patients of certain state hospital facilities are not deprived of consistent and adequate care. Cited herein: U. S. Const., Amend. XIV; Substitute for 1996 Senate Bill No. 388. MF

Carla J. Stovall Attorney General

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INDIVIDUAL GAME RULES

RULES FOR INSTANT GAME NO. 52 "INSTANT KENO"

111-4-825. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Instant Keno" commencing on or after April 8, 1996. The specific rules for the "Instant Keno" game are contained in K.A.R. 111-3-1 et seq. and 111-4-825 through 111-4-829. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15, 1996.)

111-4-826. Definitions. The following definitions shall apply to the "Instant Keno" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols for the "Keno Board" are printed in black ink in 10 point WGI font, as are the game symbols for the "2-Spot Game," the "3-Spot Game," the "4-Spot Game," the "6-Spot Game" and the "10-Spot Game." Two game symbols appear within the play area of the "2-Spot Game," three game symbols in the play area of the "3-Spot Game," four game symbols in the play area of the "4-Spot Game," six game symbols in the play area of the "6-Spot Game," and 10 game symbols in the play area of the "10-Spot Game." Each game symbol for this instant game is one of the fol-lowing whether it appears on the "Keno Board," the "2-Spot Game," the "3-Spot Game," the "4-Spot Game," the "6-Spot Game," or the "10-Spot Game."

01	02	03 ^	04	05	06	07.	08	09	10
- 11	12	13	14	15	16	17	.18	19	20
21	22	23	24	25	.26	27	28	29	30
31	32	33	34	35	36	37	38	. 39	40
41	42	43	44	45	46	47	48	49	- 50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80

(b) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable covering in the

play area on the front of each instant ticket.

(c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket above the player's name and address information and below the bar

(d) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of 24 locations at either end of the game symbols on the "CALLER'S CARD." The codes and their meanings are as follows: TWO = \$2.00; FIV = \$5.00; SEV = \$7.00; TEN = \$10.00; FTN = \$15.00; TWY = \$20.00; TWF = \$25.00; FTY = \$50.00; HUN = \$100.00; HFY = \$150.00; FHN = \$500.00.

(e) "Bar code" means the 16-digit bar coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-

4-2-96, March 15, 1996.)

111-4-827. Cost of ticket. The price of "Instant Keno" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15, 1996.)

111-4-828. Determination of instant prize winners. This game is played similarly to the traditional "2-Spot," "3-Spot," "4-Spot," "6-Spot," and "10-Spot" "Keno" games. The player removes the scratch-off material on the area of the ticket indicated as the "Keno Board" to reveal 20 numbers. The player then checks to see if any of the numbers on the "Keno Board" match the number combinations on any of the five games. If the player matches the two on the "2-Spot Game," three on the "3-Spot Game," four on the "4-Spot Game," six on the "6-Spot Game," and 10 on the "10-Spot Game," the player wins the maximum prize amount accompanying that game. Players can win up to five times on this ticket, but can win only one on each of the five games. Prizes a player can win are as follows:

2-Spot Game		
Match	v 1	Prize
2 of 2	\$	5.00
1 of 2	\$	2.00
3-Spot Game		
Match		Prize
3 of 3	\$	10.00
2 of 3	\$	5.00
4-Spot Game		* * * * * * *
Match	2	Prize
4 of 4	\$	
3 of 4	\$ \$ \$	20.00
2 of 4	\$	10.00
6-Spot Game		
Match	٠.	Prize
6 of 6	\$	1,000.00
5 of 6	3 \$	500.00
4 of 6	\$	
3 of 6	\$	10.00
10-Spot Game		* .
Match		Prize
10 of 10	\$	20,000.00
9 of 10	\$	5,000.00
8 of 10	\$	500.00
7 of 10	\$	200.00
6 of 10	\$	
5 of 10	\$	5.00

(Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i)

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and 74-8720(b) and (d); effective, T-111-4-2-96, March 15, 1996.)

111-4-829. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	276,500	\$553,000
\$5 (Game 1)	32,025	160,125
\$5 (Game 2)	35,000	175,000
\$5 (Game 5)	49,000	245,000
\$2 (Game 1) +	45/400	240,000
\$5 (Game 2)	21,000	147,000
\$10 (Game 2)	4,200	42,000
\$10 (Game 3)	3,850	
\$10 (Game 4)	3,150	38,500 31,500
\$10 (Game 5)	2,975	29,750
\$5 (Game 1) +	2,373	29,730
\$5 (Game 2)	2,800	28,000
\$5 (Game 2) +	2,000	28,000
\$10 (Game 3)	4,200	63,000
\$5 + \$5 + \$5	9,800	47 1 2
\$20	The state of the s	147,000
\$10 (Game 2) +	8,400	168,000
\$10 (Game 4)	5 600	112.000
\$5 (Game 1) +	5,600	112,000
\$10 (Game 4) +		
\$10 (Game 5)	1,400	25 000
\$5 (Game 1) +	1,400	35,000
\$10 (Game 2) +	All the Bull of the	Agriculture St.
\$10 (Game 3)	2,100	E2 E00
\$5 Game 2) +	2,100	52,500
\$10 (Game 3) +		
\$10 (Game 4)	1,400	35,000
\$5 Game 2) +	1,100	33,000
\$20 (Game 3)	1,330	33,250
\$20 (Game 3) +	1,000	33,230
\$5 (Game 5)	1,400	35,000
\$50	525	26,250
\$10 (Gm. 2) +	020	20,230
\$20 (Gm. 3) +		
\$10 (Gm. 4) +		
\$10 (Gm. 5)	350	17,500
\$5 (Gm. 1) +		17,000
\$5 (Gm. 2) +	1 (영화)	, · · · · · · · · · · · · · · · · · · ·
\$20 (Gm. 3) +		ta Paris Indiana
\$10 (Gm. 4) +	Villa verice	
\$10 (Gm. 5)	350	17,500
\$100 (Game 4)	70	7,000
\$100 (Game 5)	70	7,000
\$100 (Game 4) + \$50	175	26,250
\$500 (Game 4)	21	10,500
\$500 (Game 5)	21	10,500
\$1,000	14	14,000
\$1,000 + \$500	14	
\$5,000	14	21,000
\$20,000		70,000
	6	120,000
TOTAL	467,760	\$2,478,125

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and 74-8720; effective, T-111-4-2-96, March 15, 1996.)

RULES FOR INSTANT GAME NO. 53 "ACE IN THE HOLE"

111-4-830. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Ace in the Hole" commencing on or after April 8, 1996. The specific rules for the "Ace in the Hole" game are contained in K.A.R. 111-3-1 et seq. and 111-4-830 through 111-4-833. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15, 1996.)

111-4-831. Definitions. The following definitions shall apply to the "Ace in the Hole" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of the six play spots within the play area. Each game symbol for this instant game is one of the following: $\$1.^{\infty}$ - $\$5.^{\infty}$ - $10.^{\infty}$ - \$500\$ - \$2500 - 2 - 3 - 4 - 5 - 7 - 8 - 9 - 10 - 1 -

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

	1,5	
C	grafie de la Sing	Game Symbol
Game Symbo)1	Caption
\$1.00	State of the second	ONE\$
\$5. [∞]		FIVE\$
10.00		TEN\$
\$500\$		FIVE-HUN
\$2500		25-HUN
2	*	TWO
3	and burning	THRE
4	ing the second	FOR
5	in district	FIV
·7	27 17 17 1	SEV 10.3
3 8 3 3	ednish take, k	EGT
9	Herman Land Market	NIN
10	A	TEN
J	The second second	JAK
Q	- }·	QEN
K	F 48	KNG , as
· A		ACE
23	* 1 T	4.5

- (c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.
- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

- (e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; TWY = \$20; TRY = \$30.00; FHN = \$500.00.
- (f) "Bar code" means the 16-digit bar coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15, 1996.)

111-4-832. Determination of instant prize winners. An instant prize winner is determined in this "beat the dealer" instant game when the player "scratches off" the removable layer of material covering the play area to reveal the three separate games, each containing a "YOUR CARD" area, a "DEALERS CARD" area, and a "PRIZE" area for each game, plus a "BONUS CARD." A solid line is imaged between "Game 1" and "Game 2," and between "Game 2" and "Game 3." "Cards" in "Game 1," "Game 2," and "Game 3" relate to each specific game only and not to either of the other two games. A player can win up to three times on a single ticket. If "YOUR CARD" (player's card) is higher than the "DEALER'S CARD" in a single game, the player wins the dollar amount shown in the prize area for that game. If the "BO-NUS CARD" is an "Ace" (A), the player wins \$5.00 instantly. "Ace" (A) is the highest card, followed in descending order by "King" (K), "Queen" (Q), "Jack (J), "10," "9," "8," "7," "5," "4," "3," and "2." (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-4-2-96, March 15, 1996.)

111-4-833. Number and value of instant prizes. (a) There will be approximately 2,100,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	182,000	\$ 182,000
\$2 (\$1 + \$1)	112,000	224,000
\$3 (\$1 + \$1 + \$1)	63,000	189,000
\$5	7,000	35,000
\$5 (Bonus)	36,400	182,000
\$10	7,000	70,000
\$10 (\$5 + \$5)	7,000	70,000
\$15 (\$5 + \$5 + \$5)	7,000	105,000
\$20	5,250	105,000
\$30 (\$10 + \$10 + \$10)	700	21,000
\$500	35	17,500
\$2,500	5	12,500
	427,390	\$1,213,000

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and 74-8720; effective, T-111-4-2-96, March 15, 1996.)

RULES FOR INSTANT GAME NO. 55 "BLACKJACK DOUBLER TWO"

111-4-834. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Black-jack Doubler Two" commencing on or after May 20, 1996. The specific rules for the "Blackjack Doubler Two" game are contained in K.A.R. 111-3-1 et seq. and 111-4-834 through 111-4-838. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15, 1996.)

111-4-835. Definitions. The following definitions shall apply to the "Blackjack Doubler Two" instant lottery game:

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

V	Game Symbol
Game Symbol	Caption Caption
\$1. ⁰⁰	ONE\$ 47 assets the
\$2.00	TWO\$
\$4.00	FOUR\$
10.00	TEN\$
30.00	THIRTY
50. ⁰⁰	FIFTY 100 BB 1
\$100\$	ONE-HUN
\$1000	ONE-THOU
\$21000	21-THOU
"YOUR HAND"	"YOUR HAND"
Game Symbol	Game Symbol Caption
6	SIX III (1983) (114)
7 .	SEV: SEV: See Substitution of the second
. 8	EGT
9	NIN
10	TEN E CONTROL OF THE PARTY OF T
. J .	JAK 💯 💯
Q (1)	QEN
K	KNG WOON
Α	ACE
'DEALER'S HAND'	"DEALER'S HAND"
Game Symbols	Game Symbol Caption
17	SEVTN
18	EGTN
19	NINTN
20	TWENTY
"BONUS CARD"	"BONUS CARD"
Game Symbols	Game Symbol Caption
9	NIN
10	TEN
· · · · · · · · · · · · · · · · · · ·	(continued)

J O	JAK OEN
K	KNG
${f A}$	ACE
Image of a "Joker"	JKR

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable latex covering in

the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket both above

the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area on each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: TWO = \$2.00; THR = \$3.00; FOR = \$4.00; TEN = \$10.00; TWL = \$12.00; SXN = \$16.00; TRY = \$30.00; FTY = \$50.00; HUN = \$100.00.

(f) "Bar code" means the 16-digit bar coded number appearing near the bottom right corner on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15,

1996.)

111-4-836. Cost of ticket. The prize of "Blackjack Doubler Two" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-4-2-96, March 15, 1996.)

111-4-837. Determination of instant prize winners. (a) An instant prize winner is determined in this "Blackjack Doubler" instant game when the player "scratches off" the removable layer of material covering the play area to reveal the six separate "blackjack" type games, entitled "HAND 1," "HAND 2," "HAND 3," "HAND 4," "HAND 5" and "HAND 6." Under each game below, "YOUR CARDS" is a playing card game symbol representing playing card numbers from "6" through "10" and face card letters from "J" through "A" followed by a "PRIZE" amount for each "HAND." Under "DEALER'S TOTAL" a "DEALER'S TOTAL" game symbol number appears. If the combined total of the player's two game symbol numbers is higher than the "DEALER'S TOTAL" for any "HAND," the player wins the "PRIZE" amount shown immediately to the right of "YOUR CARDS" for that game. If "YOUR CARDS" for a "HAND" add up to a "Blackjack" ("A" + "10," "A" + "J," "A" + "Q" or "A" + "K"), a player wins double the prize amount shown for that "HAND." For this game, "J," "Q" and "K" have a numerical value of 10 and "A" has a numerical value of 11. A player can only win one time on each "HAND," but can win up to six times on a single ticket.

(b) The "BONUS CARD" area in the lower left corner of the ticket allows the player an additional opportunity to win \$10 if scratching off the material covering that area reveals a "Joker."

(c) Although a player may win up to six times on a single ticket in the "Blackjack" play area where the six "HANDS" are located, he or she cannot win in both the "Blackjack" play area and the "BONUS CARD" play area. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-4-2-96, March 15, 1996.)

111-4-838. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

n	Expected Number of	Expected
Prizes	Prizes in Game	Value in Game
\$2	30,000	\$ 60,000
\$2 (\$1 + \$1)	90,000	180,000
\$2 (\$1 + Dbl)	72,000	144,000
\$3 (\$1 + \$1 + \$1)	42,000	126,000
\$3 (\$1 + \$1Dbl)	60,000	180,000
\$4	9,000	36,000
\$4 (\$2 + \$2)	18,000	72,000
\$4 (\$1 + \$1 + \$1Dbl)	24,000	96,000
\$4 (\$1 + \$1 + \$1 + \$1)	36,000	144,000
\$10 ("Joker" Symbol		
—Bonus Card)	36,000	360,000
\$10	3,600	36,000
\$10 (\$4 + \$4 + \$1Dbl)	2,400	24,000
\$12 (\$4 + \$4 + \$2Dbl)	7,170	86,040
\$12 (\$2 + \$2 + \$2 +	and the second	
\$2 + \$2 + \$2)	10,500	126,000
\$16 (\$4 + \$4 + \$4 +		•
\$2 + \$2)	9,000	144,000
\$30	750	22,500
\$30 (\$10 + \$10Dbl)	900	27,000
\$30 (\$10 + \$10 + \$10)	1,050	31,550
\$50	750	37,500
\$50 (\$10 + \$10Dbl +		
\$10Dbl)	900	45,000
\$100	36	3,600
\$100 (\$50Dbl)	72	7.200
\$1,000	12	12,000
\$1,000 (\$100Db1 +		,
\$100DЫ +		
\$100Db1 +		
\$100Dbl +		
\$100Dbl)	24	24,000
\$21,000	6	126,000
	<u>454,170</u>	<u>\$2,150,340</u>

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and 74-8720; effective, T-111-4-2-96, March 15, 1996.)

Gregory P. Ziemak **Executive Director**

(Published in the Kansas Register April 11, 1996.)

Notice of Redemption **Industrial Development Revenue Bonds** (Golden Plains Convalescent Center, Inc.) Series D, 1979 Dated November 1, 1979 of the City of Hutchinson, Kansas

Notice is hereby given that pursuant to Section 5 of Ordinance No. 6761 of the City of Hutchinson, Kansas, the following outstanding Industrial Development Revenue Bonds, Series D, 1979 (Golden Plains Convalescent Center, Inc.) of the City of Hutchinson, Kansas, maturing on and after May 1, 1999, have been selected by lot by the trustee for redemption and prepayment on May 1, 1996 (the redemption date), prior to their maturity subject to the provisions and limitations set forth herein.

Bond Numbers	Maturity Date	Interest Rate		
87	May 1, 1999	9.5%		
**************************************	May 1, 1999	9.5%		
95	May 1, 1999	9.5%		
102	May 1, 1999	9.5%		
105	May 1, 1999	9.5%		
108	May 1, 1999	9.5%		
110.	May 1, 1999	9.5%		
111	May 1, 1999	9.5%		
171	May 1, 1999	9.5%		
190	May 1, 1999	9.5%		
195	May 1, 1999	9.5%		
199	May 1, 1999	9.5%		

The principal amount of the above described 1979 Bonds shall become due and payable on May 1, 1996, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, without premium.

On May 1, 1996, provided that funds are on hand to pay the specified redemption price, the selected 1979 Bonds will be due and payable at the principal office of the First National Bank of Hutchinson, Hutchinson, Kansas, and from and after May 1, 1996, all interest on the selected 1979 Bonds will cease to accrue. All coupons maturing subsequent to May 1, 1996, must be attached to and surrendered with said selected 1979 Bonds.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended, paying agents making payments of principal on municipal securities will be obligated to withhold 31 percent of the payment of principal to holders who have failed to provide the paying agent with a valid taxpayer identification number when presenting securities for payment.

Dated April 3, 1996.

First National Bank of Hutchinson 1 N. Main P.O. Box 913 Hutchinson, KS 67504-0913 As Trustee State of Kansas

Secretary of State

I. Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that the following bills are correct copies of the original enrolled bills now on file in my

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

> en al cida compression de la Ron Thornburgh with material down to the constraint Secretary of State go king esti nur un manist et sub sko.

(Published in the Kansas Register April 11, 1996.)

THOUSE BILL No. 2989 A HOUSE A CHE HAVE

An Act concerning crimes and punishment; relating to cruelty to animals; amending K.S.A. 21-4310 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 21-4310 is hereby amended to read as follows: 21-4310. (a) Cruelty to animals is:

(1) Intentionally killing, injuring, maining, torturing or mutilating

(2) abandoning or leaving any animal in any place without making

provisions for its proper care; or

(3) having physical custody of any animal and failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal or the little of

(4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment.

The provisions of this section shall not apply to:

Normal or accepted veterinary practices;

bona fide experiments carried on by commonly recognized research facilities:

(3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated;

rodeo practices accepted by the rodeo cowboys' association; (5) the humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals

for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound; (6) wit

with respect to farm animals, normal or accepted practices of

animal husbandry;, (7) the killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property; or

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods, or

(9) laying an equine down for medical or identification purposes.
(c) As used in this section, "equine" means a horse, pony, mule, jenny, donkey or hinny.

(e) (d) Cruelty to animals is a class A nonperson misdemeanor.

Sec. 2. K.S.A. 21-4310 is hereby repealed.

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Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 11, 1996.)

HOUSE BILL No. 2987

AN ACT concerning the department of human resources; abolishing the division of labor

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-5710 is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 11, 1996.)

HOUSE BILL No. 2791

AN ACT repealing K.S.A. 75-5228, concerning standards for correctional institutions and jails.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-5228 is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 11, 1996.)

SENATE BILL No. 631

AN ACT concerning pharmacists and pharmacies; placing certain drugs with home health tagencies and hospices; protocols for drug handling and storage.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) A pharmacy will be allowed to place certain drugs with a home health agency's authorized employees and with a hospice's authorized employees for the betterment of public health. The pharmacy shall remain the legal owner of the drugs. A written agreement between the pharmacy and home health agency or hospice shall document the protocol for handling and storage of these drugs by authorized employees and shall be approved by the pharmacist in charge. The pharmacist in charge shall review the protocol to assure that safe, secure and accountable handling of legend drugs is maintained under the protocol before giving approval. The pharmacist in charge or a pharmacist designee shall physically inspect and review the drug storage and handling at the home health agency and the hospice at least quarterly during the year.

(b) The home health agency protocol and the hospice protocol shall

include, but not be limited to, the following:

1) Safe and secure storage of drugs;

access to drugs limited to authorized employees;

(3) records of drugs checked out to authorized employees and records of drugs, amounts, to whom and by whom administered;

(4) prompt notification of the pharmacy when a drug is used, including the prescriber, patient, drug, dosage form, directions for use and other pertinent information;

(5) billing information;

(6) procedures for handling drugs beyond their expiration date; and

(7) inventory control.

(c) The following legend drugs shall be allowed under these agreements:

(1) Sterile water for injection or irrigation;

(2) sterile saline solution for injection or irrigation;

(3) heparin flush solution;

(4) diphenhydramine injectable; and

(5) epinephrine injectable.

- (d) As used in this section: (1) "Authorized employee" means any employee of a home health agency or hospice who, in the course of the employee's duties, is licensed by the employee's appropriate licensing agency to administer legend drugs; (2) "home health agency" means an entity required to be licensed under K.S.A. 65-5102 and amendments thereto; and (3) hospice means an entity authorized to hold itself out to the public as a hospice or as a licensed hospice under K.S.A. 1995 Supp. 65-6202 and amendments thereto.
- (e) This section shall be part of and supplemental to the pharmacy act of the state of Kansas.
- Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 11, 1996.)

SENATE BILL No. 573

AN ACT concerning accident and sickness insurance; requiring coverage for minimum inpatient care following birth of child; amending K.S.A. 40-2,103 and 40-1909 and K.S.A. 1995 Supp. 40-1909 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) As used in this section:

- (1) "Health plan" means any insurer or corporation which issues individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity-type contracts issued by a profit or nonprofit corporation and all contracts issued by health maintenance organizations organized or authorized to transact business in this state;
- (2) "attending physician" means the person licensed to practice medicine and surgery who is responsible for the care provided to the mother or newborn.
- (b) Any health plan which provides coverage for maternity services, including benefits for childbirth, shall provide coverage for at least 48 hours of inpatient care following a vaginal delivery and at least 96 hours of inpatient care following delivery by caesarean section for a mother and newly born child in a medical care facility.

(c) Any decision to shorten the length of inpatient stay to less than that provided under subsection (b) shall be made by the attending physician. No health plan may terminate the service of, penalize or otherwise provide financial disincentives in response to any attending physician who orders care consistent with the provisions of this section.

(d) Notwithstanding the provisions of subsection (b), any health plan which provides coverage for postdelivery care provided to a mother and newly born child in the home, shall not be required to provide coverage of inpatient care under subsection (b), unless such inpatient care is determined to be medically necessary by the attending physician.

(e) All health plans shall provide written notice, as currently required, to all enrollees, insureds or subscribers regarding the coverage required

by this section.

- Sec. 2. K.S.A. 40-2,103 is hereby amended to read as follows: 40-2,103. The requirements of K.S.A. 40-2,100, 40-2,101, 40-2,102, 40-2,104, 40-2,105, 40-2,114 and K.S.A. 40-2250, and amendments thereto and section 1 of this act shall apply to all insurance policies, subscriber contracts or certificates of insurance delivered, renewed or issued for delivery within or outside of this state or used within this state by or for an individual who resides or is employed in this state.
- Sec. 3. K.S.A. 40-1909 is hereby amended to read as follows: 40-1909. (a) Such corporations shall be subject to the provisions of the Kansas general corporation code, articles 60 to 74, inclusive, of chapter 17 of the Kansas Statutes Annotated, applicable to nonprofit corporations, to the previsions of K.S.A. 40-2,116 and 40-2,117 and to the provisions of K.S.A. 40-215, 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, 40-226, 40-229, 40-230, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252, 40-254, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-2,114, 40-2,116, 40-2,117, 40-2a01 to 40-2a19, inclusive, 40-2253, 40-2254, 40-2401 to 40-2421, inclusive, 40-3301 to 40-3313, inclusive, and amendments thereto, and to the provisions of K.S.A. 1995 Supp. 40-2,153 and 40-2,154, and amendments thereto, and section 1 of this act, except as the context otherwise requires, and shall not be subject to any other provisions of the insurance code except as expressly provided in this act.

(b) No policy, agreement, contract or certificate issued by a corporation to which this section applies shall contain a provision which excludes, limits or otherwise restricts coverage because medicaid benefits as permitted by title XIX of the social security act of 1965 are or may be available for the same accident or illness.

(c) Violation of subsection (b) shall be subject to the penalties prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

Sec. 4. K.S.A. 1995 Supp. 40-19c09 is hereby amended to read as follows: 40-19c09. (a) Corporations organized under the nonprofit medical and hospital service corporation act shall be subject to the provisions of the Kansas general corporation code, articles 60 to 74, inclusive, of chapter 17 of the Kansas Statutes Annotated, applicable to nonprofit corporations, to the provisions of K.S.A. 40-214, 40-215, 40-216, 40-218, 40-219, 40-222, 40-223, 40-224, 40-225, 40-226, 40-229, 40-230, 40-231, 40-235, 40-236, 40-237, 40-247, 40-248, 40-249, 40-250, 40-251, 40-252, 40-254, 40-2,100, 40-2,101, 40-2,102, 40-2,103, 40-2,104, 40-2,105, 40-2,105, 40-2,104, 40-2,101, 40-2,101, 40-2,102, 40-2,104, 40-2,104, 40-2,105, 40-2,104, 40-2,105, 40-2,104, 40-2,105, 40-2,105, 40-2,104, 40-2,104, 40-2,105, 40-2,104, 40-2,104, 40-2,105, 40-2,104

2,116, 40-2,117, 40-2a01 et seq., 40-2111 to 40-2116, inclusive, 40-2215 to 40-2220, inclusive, 40-2221a, 40-2221b, 40-2229, 40-2230, 40-2250 40-2251, 40-2253, 40-2254, 40-2401 to 40-2421, inclusive, and 40-3301 to 40-3313, inclusive, and amendments thereto, and to the provisions of K.S.A. 1994 1995 Supp. 40-2,153 and 40-2,154, and amendments thereto. and section 1 of this act, except as the context otherwise requires, and shall not be subject to any other provisions of the insurance code except as expressly provided in this act.

(b) No policy, agreement, contract or certificate issued by a corporation to which this section applies shall contain a provision which excludes, limits or otherwise restricts coverage because medicaid benefits as permitted by title XIX of the social security act of 1965 are or may be

available for the same accident or illness.

Violation of subsection (b) shall be subject to the penalties prescribed by K.S.A. 40-2407 and 40-2411, and amendments thereto.

Sec. 5. K.S.A. 40-2,103 and 40-1909 and K.S.A. 1995 Supp. 40-19c09 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 11, 1996.)

HOUSE BILL No. 3017

AN ACT concerning the Kansas code for care of children; relating to the investigation of reports; amending K.S.A. 38-1523 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 38-1523 is hereby amended to read as follows: 38-1523. (a) Investigation for child abuse or neglect. The state department of social and rehabilitation services and law enforcement officers shall have the duty to receive and investigate reports of child abuse or neglect for the purpose of determining whether the report is valid and whether action is required to protect the child from further abuse or neglect. If the department and such officers determine that no action is necessary to protect the child but that a criminal prosecution should be considered, the department and such law enforcement officers shall make a report of the case to the appropriate law enforcement agency. In no instance shall an investigation by the department of social and rehabilitation services proceed under this section when the alleged victim has reached the age of 23 years.

(b) Joint investigations. When a report of child abuse or neglect indicates (1) that there is serious physical injury to or serious deterioration or sexual abuse of the child and (2) that action may be required to protect the child, the investigation shall be conducted as a joint effort between the department of social and rehabilitation services and the appropriate law enforcement agency or agencies, with a free exchange of information between them. If a statement of a suspect is obtained by the law enforcement agency, a copy of the statement shall be provided to the department

of social and rehabilitation services on request.

(c) Investigation of certain cases. Suspected child abuse or neglect which occurs in an institution operated by the secretary shall be investigated by an agent under the direction of the attorney general. Any other suspected child abuse or neglect by persons employed by the state department of social and rehabilitation services shall be investigated by the appropriate law enforcement agency under the direction of the appropriate county or district attorney, and not by the state department of social and rehabilitation services.

Coordination of investigations by county or district attorney. If a dispute develops between agencies investigating a reported case of child abuse or neglect, the appropriate county or district attorney shall take

charge of, direct and coordinate the investigation.

(e) Investigations concerning certain facilities. Any investigation involving a facility subject to licensing or regulation by the secretary of health and environment shall be promptly reported to the state secretary of health and environment.

(f) Cooperation between agencies. Law enforcement agencies and the department of social and rehabilitation services shall assist each other in taking action which is necessary to protect the child regardless of which

party conducted the initial investigation.

(g) Cooperation between school personnel and investigative agencies. Elementary and secondary schools, the state department of social and rehabilitation services and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. Administrators of elementary and secondary schools shall provide to employees of the state department of social and rehabilitation services

and law enforcement agencies access to a child in a setting on school premises determined by school personnel for the purpose of the investigation of a report of suspected child abuse or neglect. To the extent that safety and practical considerations allow, law enforcement officers on school premises for the purpose of investigating a report of suspected child abuse or neglect shall not be in uniform.

(h) The secretary or the secretary's designee or a law enforcement officer may request disclosure of documents, reports or information in regard to a child, who is the subject of a report of abuse or neglect, by making a written verified application to the district court. Upon a finding by the court there is probable cause to believe the information sought will assist in the investigation of a report of child abuse or neglect, the court may issue a subpoena, subpoena duces tecum or an order for the production of the requested documents, reports or information and directing the documents, reports or information to be delivered to the ap-

plicant at a specific time, date and place.

The time and date of delivery shall not be sooner than five days after the service of the subpoena or order, excluding Saturdays, Sundays and holidays. The court issuing the subpoena or order shall keep all applications filed pursuant to this subsection and a copy of the subpoena or order in a special file maintained for that purpose. Upon receiving service of a subpoena, subpoena duces tecum or an order for production pursuant to this subsection, the party served shall give oral or written notice of service to any person known to have a right to assert a privilege or assert a right of confidentiality in regard to the documents, reports or information sought at least three days before the date of delivery.

(i) The written verified application shall be in substantially the fol-

Name of Court

lowing form:

Name(s) Date of birth: Lach a child under 18 years of age. WRITTEN APPLICATION FOR DESCRIPTION FOR APPLICATION FOR	
Cach a child under 18 years of age. WRITTEN APPLICATION FOR	
WRITTEN APPLICATION FOR	
	24
DISCLOSURE OF INFORMATION	
County of	
ss tate of Kansas	e to a contract
The undersigned applicant being first duly sworn alleges and states as follows:	V 1
1. The applicant is	<u> </u>
2. There is an investigation being made into the report of alleged abuse or	neglect in
egard to the above-named child or children.	.0.71
3. The following documents, reports and/or information are requested. (List sp. 4. The reasons for the request are:	pecifically.)
Further applicant saith not.	
Annlicant	
Applicant ubscribed and sworn to before me this day of	

- Any parent, child, guardian ad litem, party subpoenaed or subject to an order of production or person who claims a privilege or right of confidentiality may request in writing that the court issuing the subpoena or order of production withdraw the subpoena, subpoena duces tecum or order for production issued pursuant to subsection (i). The request shall automatically stay the operation of the subpoena, subpoena duces tecum or order for production and the documents, reports or information requested shall not be delivered until the issuing court has held a hearing to determine if the documents, reports or information are subject to the claimed privilege or right of confidentiality, and whether it is in the best interests of the child for the subpoena or order to produce to be honored. The request to withdraw shall be filed with the district court issuing the subpoena or order at least 24 hours prior to the specified time and date of delivery, excluding Saturdays, Sundays or holidays, and a copy of the written request must be given to the person subpoenaed or subject to the order for production at least 24 hours prior to the specified time and date of delivery.
 - Sec. 2. K.S.A. 38-1523 is hereby repealed.
- Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 11, 1996.)

SENATE BILL No. 574

AN ACT amending the vehicle dealers and manufacturers licensing act; relating to the cancellation of agreements between dealers and manufacturers or distributors; amending K.S.A. 8-2414 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 8-2414 is hereby amended to read as follows: 8-2414. (a) No franchise agreement entered into between a vehicle dealer and a first or second stage manufacturer or distributor may be cancelled, terminated or not renewed by the first or second stage manufacturer or distributor unless 30 days' 90 days notice has been given to the vehicle dealer and the director, which notice must state in full the reasons and causes for the cancellation, termination or nonrenewal of such franchise agreement, except that in the event of a showing of fraud, insolvency or failure to perform in the ordinary course of business, a notice of not less than 15 days may be approved by the director, with notice thereof to such vehicle dealer and upon written application by such first or second stage manufacturer or distributor. A notice required under this subsection shall be given by certified mail and the period of time given in the notice prior to cancellation, termination or nonrenewal shall be computed from the date of mailing thereof.

(b) A vehicle dealer, within a period of time equal to that provided for in the notice filed pursuant to subsection (a), may file a complaint with the director against a first or second stage manufacturer or distributor challenging the reasons and causes given for the proposed cancellation, termination or nonrenewal of the franchise agreement. Upon a complaint being filed, the director shall promptly set the matter for public hearing, in accordance with K.S.A. 8-2411, and amendments thereto, for the purpose of determining whether there has been a violation of K.S.A. 8-2410, and amendments thereto, or whether reasonable justification good cause exists for cancellation, termination or nonrenewal of the franchise agreement. Notwithstanding the provisions of K.S.A. 8-2411, and amendments thereto, the hearing may be set for a time which is not less than the number of days provided in the notice given pursuant to subsection (a), from the date the director gives notice thereof.

(c) The franchise agreement shall remain in full force and effect pending the determination by the director of the issues involved as provided by this act. If the director determines that the first or second stage manufacturer or distributor is acting in violation of this act or that no reasonable justification exists good cause does not exist for the proposed action, the director shall order for the franchise agreement to be kept in

full force and effect

(d) The burden of proof shall be on the dealer to show that the first or second stage manufacturer or distributor acted to show that it did not act arbitrarily or unreasonably and that good cause did exist for the proposed cancellation, termination or nonrenewal of the franchise agreement. The director shall order that the franchise agreement may be cancelled, terminated or not renewed if the director finds, after a hearing that the licensed vehicle dealer is acting in violation of this act or that the judgment of the first or second stage manufacturer or distributor is reasonable with good cause and the vehicle dealer's default is material.

(e) In the event of cancellation, termination or nonrenewal of a franchise agreement, the first or second stage manufacturer or distributor shall repurchase or otherwise reasonably compensate the vehicle dealer for all new, unused and undamaged vehicles, parts and accessories which are in salable condition and remain in such vehicle dealer's inventory at the time the cancellation, termination or nonrenewal becomes effective if such vehicles, parts and accessories were supplied to the vehicle dealer

by such first or second stage manufacturer or distributor.

(f) Failure of the first or second stage manufacturer or distributor to give proper notice or maintain the franchise agreement in full force and effect pending determination by the director pursuant to this act, or to abide by the final order of the director, shall be eause for the director to refuse to issue a license to a replacement vehicle dealer or to a dealership which would be conducting business in the same trade area and selling the same make of vehicles where the vehicle dealer in question was engaged in business.

(e) (1) In the event of cancellation, termination or nonrenewal of a franchise agreement, good cause as used in this section shall mean the failure of the new vehicle dealer to effectively carry out the performance provisions of the franchise agreement if all of the following have occurred:

(A) The new vehicle dealer was given notice by the first or second stage manufacturer or distributor of the failure prior to the notice of cancellation, termination or nonrenewal as required by subsection (a),

(B) the notification stated that the notice of failure of performance was provided pursuant to this article;

(C) the new vehicle dealer was afforded a reasonable opportunity to

carry out the franchise agreement; and

(D) the failure continued for more than one year after the date noti-

fication was given.

(2) In the event of cancellation, termination or nonrenewal of a franchise agreement, good cause shall not exist where there has been a violation by the first or second stage manufacturer or distributor of K.S.A. 8-2410, and amendments thereto. Additionally, notwithstanding any agreement, the following alone shall not constitute good cause for the termination, cancellation or nonrenewal of a franchise agreement:

(A) A change in ownership of the new vehicle dealer's dealership. This subparagraph does not authorize any change in ownership which would have the effect of a sale or an assignment of the franchise agreement or a change in the principal management of the dealership without the first or second stage manufacturer's or distributor's prior written consent;

(B) the refusal of the new vehicle dealer to purchase or accept delivery of any new motor vehicles, parts, accessories or any other commodity or

services not ordered by the new vehicle dealer;

(C) the fact that the new vehicle dealer owns, has an investment in, participates in the management of or holds a franchise agreement for the sale or service of another make or line of new motor vehicles, or that the new vehicle dealer has established another make or line of new motor vehicles or service in the same dealership facilities as those of the first or second stage manufacturer or distributor which existed on or before February 1, 1996, or is approved in writing by the first or second stage manufacturer or distributor;

(D) the fact that the new vehicle dealer sells or transfers ownership of the dealership or sells or transfers capital stock in the dealership to the new vehicle dealer's spouse, son or daughter, except that the sale or transfer shall not have the effect of a sale or an assignment of the franchise agreement without the first or second stage manufacturer's or distributor's

prior written consent.

(f) (1) In event of cancellation, termination or nonrenewal of a franchise agreement, the first or second stage manufacturer or distributor

shall pay the new vehicle dealer, at a minimum:

(A) Dealer net acquisition cost for any new, undamaged and unsold new motor vehicle inventory purchased from the first or second stage manufacturer or distributor within 12 months prior to the receipt of notice of termination, cancellation or nonrenewal, provided the new motor vehicle has less than 500 miles registered on the odometer, not including mileage incurred in delivery to the new vehicle dealer or in transporting the vehicle between dealers for sale or delivery, plus any cost to the new vehicle dealer for returning the vehicle inventory to the first or second

stage manufacturer or distributor;

(B) the dealer price listed in the current list or catalog or, if unavailable, the list or catalog actually utilized within the 12 months previous to termination, cancellation or nonrenewal, as the case may be, for any new, unused and undamaged parts, supplies, and accessories acquired from a first or second stage manufacturer, or distributor, or a source approved or recommended by it, less applicable allowances specified in advance of dealer purchase, plus 5% of the catalog or list price, as the case may be, for the cost of packing and returning the parts, supplies and accessories to the first or second stage manufacturer or distributor. Parts, supplies or accessories which are reconditioned or subject to reconditioning or rebuilding or other return in the ordinary course of business which are considered to be core parts in the trade practice and usage of the industry shall be valued for payment purposes at their core value, the price listed in the catalog or list referenced above or the amount paid for expedited return of core parts, whichever is higher;

(C) fair market value for furnishings required to be purchased by the first or second stage manufacturer or distributor and signs which bear the trademark or trade name of the first or second stage manufacturer or distributor which were required or recommended to be purchased or leased from the first or second stage manufacturer or distributor, or their

approved sources;

'(D) dealer cost for special tools and equipment required to be purchased or leased by the first or second stage manufacturer or distributor within three years of the date of termination, cancellation or nonrenewal;

(E) the cost of transporting, handling, packing and loading of signs,

special tools, equipment and furnishings.

(2) Upon termination, cancellation or nonrenewal of a franchise agreement by the first or second stage manufacturer or distributor, the first or second stage manufacturer or distributor shall also pay to the new

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vehicle dealer a sum equal to the current fair rental value of its established place of business for a period of one year from the effective date of termination, cancellation or nonrenewal, or the remainder of the lease, whichever is less. If the new vehicle dealer owns the dealership facilities, the first or second stage manufacturer or distributor shall pay the new vehicle dealer a sum equivalent to the reasonable rental value of the dealership facilities for one year or until the facilities are leased or sold, whichever is less. The rental payment required under this subsection is only required to the extent that the established place of business was being used for activities under the franchise agreement and only to the extent such facilities were not leased for unrelated purposes. The first or second stage manufacturer or distributor shall not be required to make the payment set forth under this subsection if the basis of the cancellation, termination or nonrenewal of such franchise agreement under this act is due to conviction of the dealer of a felony or any crime involving moral turpitude, or if the dealer has been adjudged guilty of the violation of any law of any state or the United States in connection with such person's operation as a dealer.

(3) To the extent the franchise agreement provides for payment or reimbursement to the new vehicle dealer in excess of that specified in this section, the provisions of the franchise agreement shall control.

(4) The first or second stage manufacturer or distributor shall pay the new vehicle dealer the sums specified in this subsection within 90 days after the tender of the property, subject to the new vehicle dealer providing evidence of good and clear title upon return of the property to the first or second stage manufacturer or distributor.

(5) Nothing in this subsection shall preclude or prohibit the first or second stage manufacturer or distributor or vehicle dealer from agreeing to other terms for additional payment or reimbursement, except that such terms shall include, at a minimum, the payment or reimbursement

requirements contained in this subsection.

(g) Failure of the first or second stage manufacturer or distributor to give proper notice or maintain the franchise agreement in full force and effect pending determination by the director pursuant to this act, or to abide by the final order of the director, shall be cause for the director to refuse to issue a license to a replacement vehicle dealer or to a dealership which would be conducting business in the same trade area and selling the same make of vehicles where the vehicle dealer in question was engaged in business.

Sec. 2. K.S.A. 8-2414 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

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hrough -	生物をつうし選	Chronica/Odie	through		10 PM 10 10 10 10 10 10 10 10 10 10 10 10 10	111-4-640	Amended	V. 13, p. 192
11-4-320	New	V. 10, p. 1214, 1215	111-4-432	Revoked	V. 12, p. 1373	111-4-652	Amended	V. 13, p. 192
11-4-308	Amended	V. 12, p. 1261	111-4-433			111-4-653	•	and the second
11-4-311	Amended	V, 12 p. 1262	through	٠.		through		The second section
11-4-312	Amended	V. 12, p. 1262 V. 12, p. 1262	111-4-436	Revoked	V. 12, p. 1374	111-4-664	New	V. 13, p. 1923-192
11-4-313	Amended	V. 12, p. 1262 V. 12, p. 1262	111-4-437	1.U. OMUU		111-4-665		7. 10, p. 1510 351
11-4-318	Afficiaca	76 to 48 d			75c + 1	through		
hrough		PRA PRAD	through	Nove	V 11 n 1/75 1/77	111-4-669	New	V. 14, p. 8,
11-4-321			111-4-444 111-4-437	New	V. 11, p. 1475-1477	111-4-670	14674	7. 17, p. 0,
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nrough	NI.	17 10 1412 1422	111-4-440	Revoked	V. 12, p. 1374	111-4-673	New	V. 14, p. 17
11-4-331	New	V. 10, p. 1411-1413	111-4-441		And the second second	111-4-674		
11-4-322	1 -	원, # 3 화	through			through		
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11-4-335	Revoked	V. 12, p. 114	111-4-445		•	111-4-683		•
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11-4-345	New	V. 10, p. 1526-1528	111-4-449	and one of		111-4-695		Lvv
11-4-336		1. 10, p. 1020-1020	through			through		
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